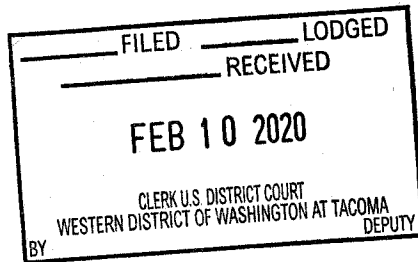


Magistrate Judge David W. Christel



UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

JULIA ANN MOHN,  
Defendant.

CASE NO. *MJ20-5020*

COMPLAINT FOR VIOLATION

Title 18, U.S.C. Section 641  
(Theft of Public Funds)

BEFORE the Honorable David W. Christel, United States Magistrate Judge, U.S.  
Courthouse, Tacoma, Washington.

The undersigned complainant being duly sworn states:

**COUNT 1**

**Theft of Public Funds**

Beginning on April 25, 2009, and continuing through January 27, 2017, at Port  
Hadlock, in Jefferson County, within the Western District of Washington, and elsewhere,  
JULIA ANN MOHN willfully and knowingly embezzled, stole, and converted to her own  
use money of the United States, namely Department of Veterans Affairs benefits having an  
aggregate value of approximately \$59,081.40, with the intent to deprive the United States of  
the use and benefit of that money.

1 All in violation of Title 18, United States Code, Section 641.

2 The undersigned complainant, Joseph McGivern, being first duly sworn on oath,  
3 deposes and says:  
4

5 **INTRODUCTION**

6 1. I am a Special Agent with the Department of Veterans Affairs, Office of  
7 Inspector General (VA-OIG), assigned to the Seattle field office, and have been since May  
8 2019. From 1999 to 2019, I was a Special Agent with the Naval Criminal Investigative  
9 Service. Since becoming an investigator I have received training and conducted  
10 investigations related to homicide and suicide, sexual assault, drugs, child abuse and  
11 exploitation, fraud, larceny, counterintelligence, and counter-terrorism. During my tenure as  
12 a Special Agent, I have conducted numerous investigations of criminal activity including  
13 government benefit fraud, disability, fraud, false claims, and other frauds.

14 2. As set forth in this Affidavit, there is substantial evidence that probable cause  
15 exists that JULIA ANN MOHN committed felony violations of Theft of Public Funds in  
16 violation of 18 U.S.C. § 641; occurring within the Western District of Washington and  
17 within the last five years.

18 3. The facts set forth in this Affidavit is based on my own personal knowledge  
19 and observations, as well as information conveyed to me by other law enforcement officers;  
20 on my review of documents and records related to this investigation; and information gained  
21 through my training and experience. Because this Affidavit is submitted for the limited  
22 purpose of establishing probable cause, it does not set forth every fact that others or I have  
23 learned during the course of this investigation.

24 **SUMMARY OF PROBABLE CAUSE**

25  
26 4. Based on my investigation, I believe Julia MOHN stole Department of  
27 Veterans Affairs (VA) benefits funds from the Wells Fargo savings account of VA  
28 beneficiary Linda Thum from April 25, 2009, through January 27, 2017. Linda Thum and

1 MOHN lived together until Thum's death on April 24, 2009. Once Thum died, MOHN used  
2 Thum's ATM card on 173 occasions to withdraw \$58,398.90 from Thum's accounts.  
3 MOHN also expended another \$682.50 in various banking fees. In addition to MOHN'S  
4 statement admitting to the theft of money from Thum's account; Kitsap Credit Union ATM  
5 surveillance cameras captured footage of Julia MOHN making three withdrawals from  
6 Thum's account between March 3, 2016, and January 27, 2017, totaling \$1020.00 plus  
7 transaction fees.

### 8 SUMMARY OF THE INVESTIGATION

9 5. Julia Ann MOHN (MOHN) is a United States citizen born in 1960 and  
10 currently residing in Port Hadlock, Washington (WA). MOHN frequently uses the nickname  
11 "Ruby."

12 6. The VA-OIG initiated a criminal investigation on June 28, 2019, based on a  
13 finding from a proactive effort by VA-OIG to identify deceased beneficiaries who are still  
14 receiving funds from the VA. This effort identified an overpayment of \$78,719.00 to Linda  
15 Thum, the spouse of US Army veteran Philip Thum, who died in 1997. Thum received  
16 Dependency and Indemnity Compensation (DIC) from the VA. DIC is a monthly benefit  
17 paid to eligible survivors of certain deceased veterans. At the time of her death, the VA paid  
18 Thum \$661.00 per month. By the time the VA made its last deposit into Thum's account on  
19 August 31, 2018, the monthly DIC benefit had increased to \$735.00. The total amount the  
20 VA paid into Thum's account after her death was \$78,969.00. This includes \$78,719 in DIC  
21 benefits and a one-time payment of \$250 made on June 30, 2009, based on the American  
22 Recovery Act of 2009. The VA continued to deposit monthly benefits into Thum's account  
23 following her death because the information exchange that normally occurs between the  
24 Social Security Administration and the VA when an individual dies did not occur for reasons  
25 unknown.

26 7. After Thum died, MOHN began using Thum's ATM card to make regular  
27 withdrawals from Thum's Wells Fargo savings account. Between April 25, 2009, and  
28

January 27, 2017, MOHN withdrew \$58,398.90 and by her own admission, used the money for personal gain.

### **STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE**

#### **A. Information Pertaining to Thum's Death**

8. Records from Jefferson County Sheriff's Office (Washington State) indicate that MOHN discovered Thum's body in a trailer on MOHN's property in Port Hadlock, WA on April 24, 2009. On July 23, 2019, I met with the funeral director at Kosec Funeral Home & Crematory, Inc (Kosec) in Port Townsend, WA. Kosec received Thum's body when she died and handled her funeral. Thum's intake form at Kosec identifies Julia MOHN "Ruby" as a survivor and friend of Thum. Thum's death certificate indicates the cause of death was end-stage alcoholic cirrhosis and chronic alcoholism.

#### **B. Records Obtained from Wells Fargo**

9. VA records indicated that Thum's benefits were deposited into Wells Fargo savings account# 0600035513. In response to a July 25, 2019, VA-OIG Inspector General subpoena, Wells Fargo provided the account signature card and bank statements covering January 2009 through June 2019. Thum is the only person that appears on the signature card and account records. Review of the bank statements showed 173 ATM withdrawals conducted after Thum died, totaling \$58,398.90. The statements identify 4507 as the last four digits of the ATM card that was used to conduct these transactions. A complete breakdown of the account activity subsequent to Thum's death is as follows:

Balance on 4/24/2009.....	\$981.61
(114) VA Deposits.....	\$78,969.00
(76) Interest Payments.....	\$4.81
(1) Deposit.....	\$50.00
	<u>\$79,023.81</u>
(173) ATM Withdrawals.....	\$58,398.90
(61) Balance Inquiries.....	\$114.50
(146) Transaction Fees.....	\$365.00
(2) Overdraft Fees.....	\$70.00

1 (36) Monthly Service Fees.....\$132.00  
 2 (1) ATM Statement Fee.....\$1.00  
 3 \$59,081.40

4 Balance on 6/30/2019..... \$20,924.02

5 10. Wells Fargo confirmed 5004-6735-7918-4507 was the number on Thum's  
 6 ATM card. ATM cards on Thum's account were valid for three to four years. Replacement  
 7 cards with the same 16-digit number were mailed to the address on file. Activation of the  
 8 replacement card required using the replacement ATM card at a Wells Fargo ATM and  
 9 successfully entering the personal identification number (PIN). Wells Fargo does not have  
 10 any records on when ATM cards on Thum's account were issued, activated or expired.  
 11 Aside from the process of sending out replacement ATM cards, Wells Fargo does not have  
 12 any records that indicate more than one ATM card was ever issued at a time. If more than  
 13 one ATM card had been concurrently issued on the account, it would have had a different  
 14 16-digit number.

15 11. According to Thum's Wells Fargo bank statements, ATM withdrawals were  
 16 conducted at various locations, but primarily occurred at the Wells Fargo branch in Port  
 17 Townsend, WA, the Kitsap Credit Union branch in Port Hadlock, WA, and the Kitsap Bank  
 18 branch in Port Hadlock, WA. Efforts were made to locate security camera footage from any  
 19 of the 173 ATM withdrawals noted above. Because the last withdrawal occurred on January  
 20 27, 2017, only Kitsap Credit Union (KCU) had footage available.

21 **C. Records Obtained from Kitsap Credit Union**

22 12. In response to a VA-OIG Inspector General, KCU provided footage for ATM  
 23 withdrawals occurring on March 3, 2016; March 4, 2016; and January 27, 2017, at the KCU  
 24 branch located at 11524 Rhody Drive, Port Hadlock, WA.

25 13. The March 3, 2016, footage shows MOHN arrive at the outside ATM with her  
 26 bicycle at 7:22am. At 7:23am MOHN conducted a balance inquiry which showed \$986.85  
 27 in the account. At 7:24am, MOHN withdrew \$500.00 and incurred a terminal fee of \$3.00.  
 28 The KCU record shows MOHN used card 5004-6735-7918-4507 for this activity. MOHN

1 also incurred a \$2.00 balance inquiry charge from Wells Fargo, and a \$2.50 ATM transaction  
2 fee from Wells Fargo. These two charges are not seen in the KCU transaction record, but are  
3 listed on the Wells Fargo bank statement. The total debit to Thum's account for this ATM  
4 visit was \$507.50. MOHN departed the ATM with her bicycle at 7:25am.

5 14. The March 4, 2016, footage shows MOHN arrive at the outside ATM with her  
6 bicycle at 6:05am. Also, at 6:05am MOHN conducted a balance inquiry which showed  
7 \$479.35 in the account. At 6:07am MOHN withdrew \$420.00 and incurred a terminal fee of  
8 \$3.00. The KCU record shows MOHN used card 5004-6735-7918-4507 for this activity.  
9 MOHN also incurred a \$2.00 balance inquiry charge from Wells Fargo, and a \$2.50 ATM  
10 transaction fee from Wells Fargo. These two charges are not seen in the KCU transaction  
11 record, but are listed on the Wells Fargo bank statement. The total debit to Thum's account  
12 for this ATM visit was \$427.50. MOHN departed the ATM with her bicycle and three dogs  
13 at 6:08am.

14 15. The January 27, 2017, footage shows MOHN arrive at the outside ATM  
15 driving a two-tone red/cream Dodge Ram van at 6:26pm. MOHN exited the van and at  
16 6:27pm attempted to withdraw \$600.00. The transaction was denied. At 6:28pm, MOHN  
17 attempted to withdraw \$100.00. This transaction was again denied. At 6:29pm, MOHN  
18 successfully withdrew \$100.00 and incurred a \$3.00 terminal fee. Also at 6:29pm, MOHN  
19 conducted a balance inquiry which showed \$6,378.57 in the account. The KCU record  
20 shows MOHN used card 5004-6735-7918-4507 for this activity. MOHN also incurred a  
21 \$2.00 balance inquiry charge from Wells Fargo, and a \$2.50 ATM transaction fee from  
22 Wells Fargo. These two charges are not seen in the KCU transaction record, but are listed on  
23 the Wells Fargo bank statement. The total debit to Thum's account for this ATM visit was  
24 \$107.50. At 6:30pm, MOHN got back into the van. One dog can be seen in the van.  
25 MOHN departs the ATM at 6:31pm.

26 //

27 //

**D. Confirmation of MOHN's Identity and Involvement**

16. On September 16, 2019, I conducted open source Internet checks on MOHN and located multiple pictures claiming to be of MOHN. The likeness in those pictures matched the likeness in the KCU ATM security camera footage. Additional checks on MOHN indicated she was the owner of a 1983 Dodge Ram vehicle and had multiple dogs.

17. On October 8, 2019, I interviewed MOHN at her residence in Port Hadlock, WA, along with VA-OIG Special Agent Yilin Wu. MOHN admitted knowing Thum but initially denied accessing money from Thum's bank account. When MOHN was shown photos from the KCU ATM security camera, MOHN admitted that she was the person in the photos and that she used Thum's ATM card to withdraw money from Thum's account. MOHN explained how she met Thum, how she obtained Thum's ATM card and PIN number, and how she used Thum's ATM card.

18. MOHN said she met Thum several years prior through mutual friends. Thum eventually moved into a trailer located on MOHN's Port Hadlock, WA property. According to MOHN, Thum had vision problems so MOHN would take Thum shopping. On occasion, they would stop by an ATM together and Thum would allow MOHN to use the ATM to withdraw Thum's shopping money. Through this process MOHN learned Thum's ATM PIN.

19. After Thum died, MOHN had access to Thum's belongings and began using Thum's ATM card to withdraw money. MOHN knew the VA benefit money was regularly deposited into Thum's account at the beginning of each month and was related to a pension for Thum's husband. When describing the pattern she followed in withdrawing the money, MOHN said she typically made an initial \$500.00 withdrawal followed a few days later by a second withdrawal for \$200.00. The bank statements from Thum's account support this pattern of activity. MOHN used the money to pay off her property, and purchase food, clothing, gasoline, and insurance and maintenance for her car.



1           20.     While living on the same property, Thum and MOHN shared a mailbox.  
2 Following Thum's death, MOHN continued to receive replacement ATM cards in the mail.  
3 MOHN discarded the old ATM card and used the replacement ATM card. MOHN could not  
4 recall how much money she withdrew from Thum's account or how many times she used  
5 Thum's ATM card and expressed surprise when told the total amount of money and the total  
6 number of ATM transactions. MOHN admitted that she did use the card a lot and did not  
7 give the ATM card or PIN to anyone else. She also said no one accompanied her when she  
8 used the ATM card to withdraw money from Thum's account. MOHN no longer has any of  
9 the money she withdrew from Thum's account. MOHN also said she no longer has any of  
10 Thum's ATM cards, or Wells Fargo savings account records.

11           21.     MOHN admitted that using the card was wrong and she stopped making  
12 withdrawals in 2017. MOHN claimed she eventually tore up the last valid ATM card up and  
13 disposed of it. MOHN provided a voluntary sworn statement detailing her use of Thum's  
14 ATM card.

15 //

16 //

17 //



**CONCLUSION**

Based on the foregoing facts, I believe probable cause exists that JULIA ANN MOHN committed Theft of Public Funds in violation of Title 18 U.S.C. Section 641.

JOSEPH M. MCGIVERN, Complainant  
Special Agent  
Department of Veterans Affairs  
Office of Inspector General

Based on the Complaint and Affidavit sworn before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe that the Defendant committed the offenses set forth in the Complaint.

DATED this 10<sup>th</sup> day of February, 2020

  
DAVID W. CHRISTEL  
United States Magistrate Judge